IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 290 OF 2005

IN

SUM. SUIT NO. 823 OF 2004

Pravinchandra Mohanlal Modi
& Ors. .. Plaintiffs.

vs.

Sherdaben Damji Savia & Ors. .. Defendants.

Mr. Sunil Vora i/by Sunil & Co.
for the plaintiffs.
Mr. J.J. Shah for defendants.

CORAM : S.U.KAMDAR, J.

DATE : 23rd January,2006.

P.C.

. By consent of the parties, the following order is passed :-

1. There shall be a decree in favour of the plaintiffs and against the defendants for a sum of Rs. 5 lacs. The said amount to be paid by the defendants in three monthly instalments first instalment commencing from 10.2.2006 and the remaining two instalments on 10th of each succeeding

month. In an event of any one default, the plaintiffs will be entitled to execute the decree for the aforesaid amount of Rs. 5 lacs. Suit decreed accordingly. No order as to costs.

2. In view of the disposal of the suit, the summons for judgment does not survive. The said is dismissed as infructuous.

3. Refund of Court fee as per rules.